

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

vs.

ANDREW KAYACHITH (17),

DEFENDANT.

Case No. 3:10-00260  
JUDGE HAYNES

*On motion  
DENIED as  
moot.*

*Will [signature]  
3-22-12*

**MOTION IN LIMINE #3-  
TO EXCLUDE GOVERNMENT'S MENTION OF ALLEGED INCIDENT  
INVOLVING THE DISPOSAL OF A GUN OCCURING ON OR NEAR APRIL 27,  
2009**

Comes now the Defendant, ANDREW KAYACHITH (17), by and through his appointed counsel, and respectfully moves this Honorable Court in limine in accordance with Federal Rules of Evidence, 401, 402, 403, and 404 to exclude the Government and its witnesses from mentioning an incident involving the disposal of a gun that allegedly occurred on or near April 27, 2009. In support of said motion, Mr. Kayachith states as follows:

1. According to the discovery provided by the Government, Jane Doe 2 states that on or near April 27, 2009 while she was still in Minneapolis, she got into a car with certain individuals including Andrew Kayachith. Jane Doe 2 states that an individual identified as "Canadian" told Defendant #29 Yassin Abdirahman Yusuf ("Junior") to get rid of a gun, or words to that effect. Jane Doe 2 stated that she then observed "Junior" retrieve a black semi-automatic handgun from an alleyway. Jane Doe 2 stated that after "Junior" retrieved the handgun, they drove for approximately 20 – 30